IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO. 792 OF 2005

IN

SUIT NO. 3387 OF 1994

Prithvi V.Bhalchandra Rawat & Anr.. Plaintiffs.

Versus

M/s.Shah Enterprises & Anr..... .... Defendants..

A N D

Bhavnesh H. Gandhi & Anr. ..... Applicants.

-: ALONG WITH :-

CHAMBER SUMMONS NO. 795 OF 2005

IN

SUIT NO. 3387 OF 1994

Prithvi V.Bhalchandra Rawat & Anr.. Plaintiffs.

Versus

M/s.Shah Enterprises & Anr..... .... Defendants..

A N D

Smt.Minal Bhavnesh Gandhi & Anr..... Applicants.

Mr. Shailesh Shah i/by Mr. P.Mehta & Mithi
for the Applicants.

Mr. S. K. Nair for the Plaintiffs.

Mr. Kishore Jain i/by M/s. Niranjan & Co.,

for the Defendant No.1.

CORAM : A. M. KHANWILKAR, J.

DATED : JULY 26, 2005.

P.C.:

Heard learned Counsel for the parties.

2. This application is by the third party praying for impleadment as party Defendant in the suit pending in this Court. This application is not opposed by the Plaintiffs. Indeed, the Defendant No.1 has filed reply affidavit opposing the application. However, as mentioned earlier, the Plaintiffs are supporting the cause of the 3rd party and for the reasons stated in the affidavit in support of this application, presence of Applicants in the pending proceedings would be appropriate for full, complete and effective adjudication of the matter. Hence, Chamber Summons is made absolute in terms of prayer clause (a).

3. Amendments to be carried out within two weeks from today.

4. No order as to costs.

Sd/-

(A. M. KHANWILKAR,J.)